

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

VALERO MARKETING AND SUPPLY  
COMPANY, et al.,

Plaintiffs,

v.

SOUTHCAP PIPE LINE COMPANY,

Defendant.

)  
)  
)  
)  
)  
)  
)  
)  
)  
)

Case No. 3:06-cv-623 DGW

**AMENDED SCHEDULING ORDER**

On May 21, 2008, the Court entered an order extending the discovery deadline, dispositive motions deadline, final pretrial conference date, and bench trial date in this action (Doc. 84). The parties thereafter submitted a joint proposed amended scheduling order with agreed-upon interim discovery deadlines.

Having reviewed the proposed order and finding it in compliance with the applicable federal and local rules, the Court hereby approves and enters the following Proposed Amended Scheduling and Discovery Order as submitted by the parties.

**DATED: June 17, 2008**

*s/ Donald G. Wilkerson*  
**DONALD G. WILKERSON**  
**United States Magistrate Judge**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS  
EAST ST. LOUIS DIVISION**

VALERO MARKETING AND SUPPLY )  
COMPANY AND THE PREMCOR )  
REFINING GROUP INC., )

Plaintiffs, )

v. )

No. 06-CV-623-DGW

SOUTHCAP PIPE LINE COMPANY, )

Defendant. )

**PROPOSED AMENDED  
SCHEDULING AND DISCOVERY ORDER**

The parties submit the following proposed Amended Scheduling and Discovery Order.

1. Rule 26(a) initial disclosures have been exchanged between the parties. The parties shall supplement those initial disclosures as necessary.
2. Initial interrogatories and requests to produce, pursuant to Federal Rules of Civil Procedure 33 and 34, have been served and responses provided. The parties shall supplement those initial disclosures as necessary.
3. Plaintiff and Defendant's corporate representative depositions pursuant to Federal Rule of Civil Procedure 30(b)(6) have already occurred.

Expert witnesses shall be disclosed, along with a written report prepared and signed by the witness pursuant to Federal Rule of Civil Procedure 26(a)(2), as follows:

Plaintiff's expert(s): **7/11/2008.**

Defendant's expert(s): **8/29/2008.**

5. Depositions of expert witnesses must be taken by :

Plaintiff's expert(s): **8/1/2008**.

Defendant's expert(s): **9/19/2008**.

6. **Discovery** shall be completed by **October 3, 2008**, pursuant to this court's May 21, 2008 Order (which date shall be no later than one hundred fifteen (115) days before the first day of the month of the presumptive trial month). Any written interrogatories or request for production served after the date of the Scheduling and Discovery Order shall be served by a date that allows the served parties the full thirty (30) days as provided by the Federal Rules of Civil Procedure in which to answer or produce by the discovery cut-off date.

7. All **dispositive motions** shall be filed by **October 17, 2008**, pursuant to this court's May 21, 2008 Order (which date shall be no later than one hundred (100) days before the first day of the month of the presumptive trial month). Dispositive motions filed after this date will not be considered by the Court.

8. Bench Trial is set for January 26, 2009, at 9:00 a.m. before Magistrate Judge Donald G. Wilkerson in East St. Louis.

DATED: June 5, 2008

/s/Rebecca R. Jackson (with consent)  
211 North Broadway  
St. Louis, MO 63102

**Attorney for Plaintiffs**

/s/Larry E. Hepler  
103 W. Vandalia  
Edwardsville, IL 62025

**Attorney for Defendant**